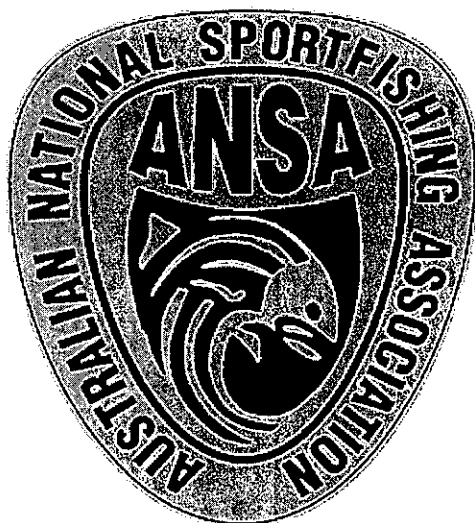


Submission
No 1004

INQUIRY INTO RECREATIONAL FISHING

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Date received: 29/03/2010

**Australian National
Sportfishing Association
NSW Branch (ANSA NSW)**



**Submission to the Select
Committee on Recreational
Fishing**

March 2010

The following submission is from South Sydney Amateur Fishing Association (SSAFA) and is in accordance with the Terms of Reference as outlined by the Legislative Council. SSAFA has provided the inquiry with a submission that is balanced and presents well reasoned arguments.

Our submission focuses on the impacts of state significant developments and in particular:

- (e) Ecologically sustainable development issues related to improving recreational fisheries around the Kurnell Desalination Plant.

Our submission highlights the potential for improving recreational fishing opportunities, the fishery and its management. We believe there is considerable scope for improvement and refinement which if implemented will see a win - win outcome for both the government and recreational fishers.

We also request an opportunity to present directly to the committee.

Yours sincerely



Stan Konstantaras

President

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1. Executive Summary

ANSA NSW has extensively consulted with many other recreational fishing bodies within NSW when formulating its response to the Inquiry. Many of the issues of concern are common to all recreational fishing groups and have a history dating back to inception of an all waters recreational fishing licence in 2000. Consequently it is very likely that the views expressed by ANSA NSW will be mirrored in other submissions made to the Committee.

As a sporting user group within the broader framework of the community, we as recreational fishers do in addition to paying traditional taxes etc, directly contribute by way of licence fees, to embrace our sport and to retain, enhance and increase our angling access and opportunity. Very few other sporting pursuits have to endure the financial burden that exists for recreational fishing within NSW.

While it could be said that the view of anglers immediately post introduction of the licensing system was positive as a consequence of commercial buyouts and the creation of fishing havens this glow has lost its lustre. The reality is that anglers have more recently formed a view that they have been abandoned by the NSW government. Access has been progressively eroded by a plethora of Government (both State and Commonwealth) conservation and development initiatives and the government's commitment to recreational fishing has been shrinking. Cost shifting of recreational fishery management overheads by the government to the licence Trust Funds and loss of fishing access are the two hot topics of frustration and concern for angling groups and their members. The present system of committees and councils that advise the NSW government are not as effective or as transparent as they should be and it is questionable that the calibre and capability of those appointed to these positions to represent anglers are the best available and most suitable.

It is the perception that the focus of both the Minister and the Department has been on commercial fisheries and this mindset is devaluing the importance of recreational fishing to the NSW economy. The winding down of human and financial resources with a recreational fishing focus within NSW I & I - Fisheries and the seeming proliferation of a user pays philosophy are issues of vital concern to recreational fishers.

We are very keen to see more compliance officers on our waterways to protect

our highly valued fishery resources and to improve the level of awareness within the broader fishing community but emphasise that this is a responsibility for the government to fund - not the trusts. It is a common remark from fishers in the greater Sydney metropolitan area that they have never had a face to face encounter with a fisheries officer. This is quite amazing. There is scope for effective cross utilisation of other agencies such as NSW Maritime and the NSW Water Police but these agencies are also operating under tight resource and funding constraints.

We also believe there are numerous opportunities for community involvement in research activities undertaken by NSW Fisheries especially when such projects are funded via the Trusts. We acknowledge that such research projects need to be professionally developed and managed to a standard that will withstand peer review. ANSA has on many occasions offered its services to NSW I & I - Fisheries only to be rejected on the grounds that only scientists have the capacity and the mandate for research. This is nonsense and ignores the cost efficiency and goodwill of using volunteers in the field. There are also many instances where research projects undertaken by NSW I & I - Fisheries could benefit by being outsourced in terms of cost savings and OH&S restrictions.

Our submission highlights opportunities for improving recreational fishing opportunities, the fishery and its management. We believe there is considerable scope for improvement and refinement which if implemented will see a win - win outcome for both the government and recreational fishers.

2. Access

Access for recreational fishers in NSW is constantly under pressure. Threats currently include changes in land classification such as closures of travelling stock routes and 'paper roads', closures of popular access routes in National Parks, pressure from green groups to ban recreational fishing in National Parks and Marine Parks, national security protection, access denial by private landowners, pollution of once-healthy waterways, major infrastructure projects including state significant developments, effects of climate change (especially on inland fisheries), closures for conservation and protection purposes, increasing interference in recreational fishing activities by local councils and illegal and misleading signage by landowners and some councils denying access to recreational fishers.

Some of these factors are irreversible, unavoidable or even understandably intentional and necessary, but collectively they encompass an enormous range of activities and circumstances that impinge heavily on what should be an inalienable public right. The current suite of Marine Parks has severely impacted on ANSA NSW anglers. This is most evident in the Jervis Bay Marine Park and the Port Stephens Marine Parks.

In the Jervis Bay Marine Park (JBM) our land based anglers have been funnelled into a small area that is leading to overcrowding and conflict. Despite being a major stakeholder with historical significance, the land based angler has not fared well in the zoning plan of the JBMP when combined with the restricted access to the coastline imposed by Commonwealth Navy lands and Booderee NP. Out of approximately 35.6km of coastline, 33% is sanctuary zone, 47% is restricted access, leaving 20% available for land based angling. When taking into consideration vast sections of the available coastline do not provide accessible platforms required for land based angling, the available coastline for land based anglers in the JBM is further reduced to <10%. No other stakeholder has been as detrimentally affected as the land based angler. Furthermore unfavourable weather conditions can dictate a further loss of useable platforms at times, meaning the areas anglers can access are also often unfishable or unsafe.

In the Port Stephens Great Lakes Marine Park (PSGLMP) boat based anglers have lost access to over 40% of inshore and offshore reefs in water between the 20m and 200m in depth. This is well beyond the stated 19% of sanctuary zone average within the PSGLMP that park managers keep referencing when stating that anglers have not been affected because "only" 19% of the park is off limits. This has seen anglers in small trailer boats travel further to access suitable fishing grounds. The over representation of these reefs in sanctuary zones has

heightened the risk of anglers chasing season species like snapper and mullet that Port Stephens is renowned for. Marine Park Authority opposition to the installation of artificial reefs within marine parks to alleviate pressure on accessible reefs has to be questioned.

It is also a cause for concern when recreational licence funds have been expended on the creation of valuable and popular recreational fishing havens such as Botany Bay where more recently there have been several major commercial developments (port expansion, desalination plant, underwater power cables - to name a few) which have restricted fishing access over their construction period and regrettably will severely limit fishing access for time eternal to much of the Bay. Had commercial fishing still been allowed within Botany Bay the burden of responsibility for compensation for temporary and permanent loss of access and economic detriment would have rested with the government based on past precedent. As defacto holders of the commercial fishing rights that otherwise would have existed for Botany Bay, an equitable amount of compensation should have been paid to recreational fishers in cash or kind to offset for access loss. Regrettably a mechanism for such compensation payment does not exist within the current legal framework of the licence trusts or ACORF but needs to be established as a priority.

ANSA NSW Recommendations;

- ✓ That the relevant NSW legislation is amended to explicitly provide statutory rights for recreational fishers to access the fisheries resources of the state with fair and just compensation if these rights are curtailed or removed.
- ✓ Where access is lost, the government provide compensation for recreational fishers which may be in the form of fisheries enhancement (e.g. artificial reefs and fish stocking), provision of alternate equivalent areas dedicated exclusively to recreational fishing in the area, or direct cash contribution to the Recreational Fishing Trust.
- ✓ In terms of our water catchments, the Management authorities for Sydney's water supply be required to negotiate recreational fishing access to impoundments in good faith using a risk management approach and that the NSW government undertakes an extensive inquiry into fishing access in impoundments.

- ✓ Seasonal access is given to land based game anglers to fish areas that are currently designated as sanctuary zones to fish exclusively for transient pelagic species like the tuna and marlin species that sit high in the water column.
- ✓ Access is given to land based anglers on all headlands that are currently designated as sanctuary zones to provide alternate fishing spots in adverse weather conditions. A limit of 100 meters offshore is set apart within sanctuary zones for land based anglers.
- ✓ Recreational fishers should have reasonable access to all public waterways, such as a 20 metre buffer zone for walking access on all Crown and freehold property. Where access along the river bank is not practical walking access should be allowed by the most direct route across the land from the nearest public access point, or via a route negotiated with the land owner. Insurance legislation should be reviewed to provide reasonable protection for landowners who allow access.

3. Advisory Councils and Trust Funds

Recreational fishers have identified a number of problems when working within the advisory council/committee system – transparency, accountability and representation are issues of significant concern. The workload of councils and committees has increased significantly and there is an increasing reliance on volunteer unpaid consultancy to oversee many projects through from concept to conclusion. Other issues include the erosive impact upon available licence trust funds associated with spiralling cost shifting initiatives introduced and proposed by NSW Fisheries to move what are generally regarded as core business activities of Fisheries to the trusts. Operational, compliance and research functions, many of which have cross links with the commercial sector should not be seen as the exclusive burden of the trusts. More recently we have also seen the operational funding of NSW's largest trout hatchery shifted to the Freshwater trust. The alternative was to shut the facility down. While there may be a good case to justify trust funds on this project for some years to come the basic fact is that licence subscribers have no access to the business case made for justification of such a large expenditure commitment and there are many concerns that the fishing public is not receiving value for its money.

There is also widespread feeling that ACORF is not truly representative of NSW Recfishers and does very little, if anything to engage in two way communication with grass root recreational fishers or to advocate aggressively for recreational fishing rights and entitlements. There is little confidence that ACORF has the capacity or the willpower to effectively challenge the government on major issues affecting recreational fishing as it is too close to government. To put it bluntly ACORF's involvement and stand on major issues such as marine parks, access loss and the legal proceedings initiated by the NCC before the Administrative Appeals Board in respect of the need for more grey nurse shark protection zones has been deathly silent.

There is also concern that should there be a change of Government or a change in Government policy that the existing process for determination of Trust Fund expenditure may be changed to the disadvantage of licence holders. While it is acknowledged that the Minister has final say over how Trust moneys are expended and it is our belief that the Minister has never overridden any trust fund or ACORF funding recommendation there is no guarantee that this may not occur at some future time. The roles and powers of the Trusts and ACORF in whatever format they continue to exist need to be enshrined clearly within the NSW Fisheries Act. The current references in the act are less than adequate.

ANSA NSW Recommendations:

- ✓ That the current practice of cost shifting from the Department to the Trust Funds must cease, including funding for compliance and law enforcement, stock assessment and other basic research required to manage jointly fished stocks and fisheries conservation.
- ✓ Anglers should be provided more direct lines of communication with the body, such as an online or email submission process for lodging questions and submissions. Regular "Angler Forums" run by the body around the State could be another suitable means of communication.
- ✓ That ACoRF and the Trust Expenditure Committees be combined to form a single more streamlined body funded from the Recreational Fishing Trust for the purpose of providing recommendations on Trust funds expenditure only. A more democratic and transparent process for appointment of recreational representatives to the new committee and or the existing committees if they are to be retained. Preferably the majority of the recreational fishing representatives on any such committee to be drawn from the ranks of established state peak recreational fishing bodies and elected by recreational fishers.
- ✓ The body should also proactively communicate with recreational fishers by prompt online publishing of reports, minutes of meetings and all proposals and issues under consideration.
- ✓ Representation by conservation groups on recreational fishing advisory councils and committee not be allowed unless reciprocal arrangements are in place for anglers to be present on all conservation committees that a bearing, direct or otherwise upon recreational fishing within NSW.
- ✓ That the powers and policies of the trusts and ACORF be more definitively defined under the Fisheries Management act.
- ✓ That the powers of the trusts be expanded to include the creation of a legal entity which has the power to own, hold and manage assets which may in fact be financed by Trust Funds. This would extend to chattels landed assets (freehold/ leasehold) and commercial fishing entitlements that are purchased with licence funds.

4. Peak Body and Alternate Governance Models

To maintain dialogue with the government the recreational fishing community is obliged to work within the council and committee system, but weaknesses in the system are causing increasing concern and there are sections of the recreational fishing community that believe the current system is failing them.

The current model has been in place for many years and a formal review should be undertaken to determine if a better system can take its place. ANSA NSW recommends that the NSW government should create and provide proper resources for a new independent advisory council to replace the existing ACORF structure. Appropriately named the 'NSW Recreational Fishing Authority' or similar, this new body would more equitably and effectively formalise the angler representational process and marry it efficiently to NSW I & I - Fisheries existing recreational fisheries management infrastructure.

Features of the NSW Recreational Fishing Authority would include:

- A mixture of angler representatives appointed by the executive of the NSW Recreational Fishing Authority and elected by fishers.
- Invited representatives of relevant departments such as I & I NSW, Marine Parks Authority, NSW Office of Water, Land and Property Management Authority, Communities NSW, Tourism NSW, commercial fishing organisations, conservation and scientific advisers and the leading tackle and boating industry associations.
- Adequate administrative funding by the government, including but not limited to funding from the recreational fishing fee trusts.

A NSW Recreational Fishing Authority would mainly advise and act on non-core fisheries activities, particularly activities funded through the licence fee trust funds. This would not preclude it from providing services currently provide by government.

It would work through a team of selected and elected members in a structure that would, without duplication or overlap, address all key areas and issues (e.g. access, conservation, education). It would have a strong advocacy role and would be able to undertake and commission projects in its own right. It would be able to secure and hold management or trustee rights for Crown land relevant to recreational fishing access.

The formation of a Recreational Fishing Authority would provide NSW with a dedicated body empowered with the management of important aspects of recreational fishing. It would effectively and inclusively harness the existing capabilities of the recreational fishing community which, once properly funded, would become more streamlined, cohesive and focused on more effective cooperation with Fisheries and other agencies.

The Authority would provide government and private enterprise with a unified and more responsive single point of consultation on all major recreational fishing issues.

A Recreational Fishing Authority would act as a centralised, empowered body to negotiate access and other rights for recreational fishers.

ANSA NSW Recommendations:

- ✓ The dedicated NSW Recreational Fishing Authority be funded from the Recreational Fishing Trusts to provide for an Executive Officer, an Administrative Officer and adequate operating costs for a period of 5 years.
- ✓ The NSW Recreational Fishing Authority is constituted to provide advice to the Department and Minister on all matters relating to recreational fishing including expenditure of trust funds through representation on the reconstituted Trust Expenditure Committee.
- ✓ The NSW Recreational Fishing Authority is constituted to provide advocacy on behalf of all recreational fishers.
- ✓ The NSW Recreational Fishing Authority is constituted to deliver services and functions currently provided by government and others (excluding compliance and enforcement) where there is demonstrated capability.
- ✓ The NSW Recreational Fishing Authority to be preferably comprised substantially of representatives from NSW based peak recreational fishing peak bodies.

5. Recreational Fishing Havens

The creation of Recreational Fishing Havens was promoted as a major selling point for introduction of the all waters fishing licence in 2000 and was viewed as an effective way of addressing resource allocation between recreational and commercial fishers and to remove latent commercial effort. Funds sourced via a \$20mill, 10 year loan from NSW Treasury and serviced via Trust Funds were used to buy out commercial fishers in select locations and create recreational fishing havens. The commercial buy out and creation of the recreational Fishing Havens was a brilliant strategy that was immediately acknowledged and applauded by recreational fishers.

Needless to say there have been no more commercial buyouts since the initial buy back programme (in fact in excess of \$1mill of the loan fund was returned to Treasury as it could not be utilised on an appropriate buyout) and yet there is considerable scope for the creation of further recreational fishing havens across the state. The Shoalhaven is a classic example of where a buyout and RFH would work and much preliminary work has been undertaken on such an initiative. However this process was impeded by the previous Minister who for reasons unknown declared that all further commercial buyouts must embrace a total bioregion. This is totally unrealistic. Opportunity also exists for the buy out of commercial effort in Sydney Harbour which because of commercial fishing restrictions due to toxic contamination has become a defacto RFH. Why not formalise this RFH status using a combination of trust and treasury funds. Most commercial fishers would be prepared to give up their licences if the price was right and there would be a flow on benefit from such a strategy as the cancellation of these commercial licences would see a reduction of commercial effort in the Hawkesbury which has escalated in recent years as harbour fishers have moved their commercial operations to that fishery.

ANSA NSW Recommendations:

- ✓ An annual fund be established by the Saltwater Trust to fund ongoing buy-outs of active commercial fishing effort to transform all NSW estuarine waters into Recreational Fishing Havens free from commercial fishing effort.
- ✓ All Recreational Fishing Havens be made Dedicated Crown Reserves for the purpose of recreational fishing.

- ✓ Dedicated Crown Reserves be established under any Trust Funded inshore or offshore artificial reefs.
- ✓ An additional loan, to be repaid from the trust funds be raised (and preferably matched dollar for dollar by Treasury) to buy out commercial fishing effort to create more RFHs.
- ✓ The number of RFHs initially is increased by the inclusion of intermittently opening lagoons and river mouths currently open to commercial fishing.
- ✓ The complete the buy-outs in those estuaries now only partly protected by Recreational Fishing Havens. The Shoalhaven River system, Sydney Harbour, Lake Illawarra and Wallis Lake should be targeted as the next Recreational Fishing Havens.
- ✓ The standing ministerial policy for commercial buyouts to be considered for total bio regions only to be reviewed and relaxed.
- ✓ Compensation is provided for any loss of access, including habitat degradation that occurs in a Recreational fishing Haven.

6. Value of Recreational Fishing In NSW

More than one million people participate in recreational fishing each year in NSW. Recreational fishing provides enormous social, health and lifestyle benefits to those people, including outdoor activity and exercise, learning about the environment, travel, relaxation, family and community interaction and providing the opportunity to catch fresh seafood for personal consumption.

Recreational fishing activity also directly and indirectly provides a significant income to government and to the community. Some rural and coastal NSW towns are particularly focused on recreational fishing which they see as a major economic driver for value added activities such as tourism, accommodation, camping, general retailing, food outlets, boat and vehicle hire and services. In some areas, a significant number of people are directly employed in recreational fishing, such as fishing charters, tackle shops, marine centres and professional fishing guides.

Despite the breadth and depth of the recreational fishing economy, there is little useful data on its economic value. The few studies undertaken have focused on just a few towns or regions, and are already out of date, but even those studies reveal the important economic value of the recreational fishery. For example, a study for the government by Dominion Consulting undertaken in 2001 estimated that the value of the recreational fishing industry in the Snowy Mountains alone was over \$70 million per annum, a figure that surely would be much greater today. But despite such data, few efforts are made by government to promote recreational fishing through agencies such as Communities NSW and Tourism NSW.

ANSA NSW Recommendations:

- ✓ Participation in recreational fishing is increased by education campaigns and selectively targeting fishing licence renewals to maximise the social, economic, health and family cohesion benefits.
- ✓ Enhanced fishing tourism by interstate and overseas visitors through targeted advertising campaigns.
- ✓ The contribution to improved fisheries and conservation of biodiversity achieved through fishing licence expenditure be better promoted.

- ✓ The contribution to rural and coastal economies from recreational fishing be marketed to state and local government, tourism bodies and stakeholder groups.
- ✓ Recognition of the social, health and family cohesion benefits of fishing be better documented and promoted.
- ✓ Economic benefits for regional areas through enhanced fishing tourism be better promoted.
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- ✓ Biennial economic surveys be conducted to determine changes in the value of recreational fisheries state-wide and at key locations including RFHs and areas impacted by Marine Parks.
- ✓ The government contribution to the management of recreational fishing should be restored (adjusted to today's dollars) to that agreed in 2001 when the general fishing licence was introduced.
- ✓ A substantial annual allocation be made from the trusts for fisheries enhancement.
- ✓ A state-wide survey of estuaries and ocean waters be conducted to identify suitable sites for artificial reefs.
- ✓ A state-wide survey of estuaries be conducted to determine suitable sites for stocking with prawns and fish to enhance recreational fishing.
- ✓ A thorough state-wide investigation of the health and family benefits of recreational fishing be undertaken immediately, and repeated every 5 years.
- ✓ An broad based advertising campaign be implemented to promote recreational fishing.

- ✓ The promotion of recreational fishing to under-represented sectors of the community be expanded through the schools education program into high schools and with new programs for disadvantaged groups and the disabled.
- ✓ Funding from the Recreational Fishing Trusts for compliance be redirected into education programs such as the Schools Education Program, Fishcare Volunteer Program and educational publications.

7. Marine Protected Areas and Marine Parks

ANSA NSW does not support the current percentage process, with an average of 20% of total marine park areas 'locked up' as sanctuary zones, taking away the majority of safe and accessible fish habitat from recreational fishers.

However it does support protecting areas representative of critical habitats using sanctuary zones, providing it is being used to protect specific ecological communities, critical habitat or specific species, and is not being used as a de facto recreational fishing management tool by the Marine Parks Authority.

ANSA NSW believes that once qualified research has identified a need for protection of marine biological diversity and marine habitats, then the process may be accomplished using a variety of methods which could accommodate all marine park users, such as:

- Rotating sanctuary zones once regeneration is complete
- Seasonal closures for spawning or migration of species
- Seasonal access to pelagic species
- Localised recovery plans for specific species
- Stock enhancement through breeding programs
- Habitat enhancement through artificial reefs
- Stock enhancement and recruitment through fish aggregating devices
- Multi-use sanctuary zones

ANSA NSW Recommendations:

- ✓ All National Park and Marine Park Plans of Management and Zoning Plans be required to explicitly address access for recreational fishing, and to not remove or reduce access for recreational fishers without providing satisfactory alternatives.
- ✓ The Marine Parks Act and the Fisheries Management Act 1994 be amended to require adequate consultation in terms of duration and participation on all proposed Marine Parks or Marine Protected area.
- ✓ Thorough biological, social and economic studies are conducted prior to the implementation of any new Marine Parks or Marine Protected areas to allow the impacts to be accurately assessed.

- ✓ Compensation is provided to anglers adversely affected by any new Marine Parks or Marine Protected areas including recreational fishers, commercial fishers, charter fishing boat operators and fishing tackle and bait suppliers.
- ✓ The regulations applying to smaller local clubs hosting outings in marine parks are required to complete or apply for a permit and that the requirement is amended to apply to outings or competitions with more than 100 participants.
- ✓ The regulations applying to transiting or stopping in sanctuary zones be amended to allow anglers who have stowed their rigged rods in holders be permitted to stop or transit a sanctuary zone without having to de-rig their rods.

8. Resource Sharing, Fisheries Management and Enhancement

Delivering improved recreational fishing will require action on many fronts including better sharing of the resources between commercial and recreational anglers. Removing commercial effort from estuarine and inshore waters should be a long term goal, the outstanding improvements in the recreational fishing havens and Sydney Harbour are well known. A major obstacle to the long term success of this vision is latent commercial effort. Purchasing latent effort is arguably a poor use of recreational fisher funds as it has no immediate return in terms of more fish being available. The only benefactor is the remaining commercial fisher who now has more incentive to invest in better equipment given that the threat of extra competition has been eliminated. Funds for removing latent effort should come from the commercial fishing industry or the Government. The only exception for use of trust funds to buy out commercial effort should be for a total fishery buyout for the sole purpose of creating a RFH.

The funds received from the Recreational Fishing Licence now constitute a significant part of the total Fisheries budget in NSW. It is difficult to estimate from publicly available information the direct contribution from the government's Consolidated Fund to Fisheries, but it is obviously quite small, and without the introduction of the Recreational Fishing Licence, would be so insignificant that it would be impossible to deliver any services at all to the sector.

ANSA NSW Recommendations:

- ✓ Fish stocks be improved by decreased commercial fishing effort, stocking and habitat enhancement.
- ✓ Enhanced biodiversity through habitat improvement in saltwater by artificial reefs and in freshwater by resnagging and improved water quality.
- ✓ Improved conservation outcomes from education on environmental responsibility and more catch and release.
- ✓ New fisheries be created through stocking, improved habitat and better management e.g. Wallagoot and Back Lake prawn fishery.

- ✓ Our current fishing regulations should be reviewed and simplified to provide rules and regulations that are easily remembered and suitable for casual or visiting fishers.
- ✓ NSW I & I - Fisheries must maintain the 5 yearly cycles for review of recreational fishing regulations. Size limits, including slot limits, must apply equally to commercial and recreational fishers in all circumstances.
- ✓ Temporary area closures should be implemented to protect all spawning aggregations of fish from all forms of fishing.
- ✓ No bait gathering by Commonwealth Licensed Operators to occur within NSW State waters.
- ✓ The roles of Boating Safety Officers and Fisheries Officers need to be combined to increase the number of compliance officers within NSW.
- ✓ The administration of fisheries needs to be removed from Industry and Investment NSW and reconstituted as a stand-alone department with an appropriately qualified and experienced Director of Fisheries reporting to a Minister for Fisheries.
- ✓ Resource re-allocation is provided through a user pays system that provides fair compensation for those adversely affected, including a royalty based system payable to the general community for extractive activities for commercial gain.
- ✓ All latent commercial fishing effort is cancelled .
- ✓ Allocations will be made to maximize the social and economic benefits to NSW. Where a species is overfished, or stock status is uncertain, the Precautionary Principle will apply and allocation will favour the sector that can minimize fishing mortality.
- ✓ Catch history should not be the basis for allocation between sectors.
- ✓ Immediate closure of the commercial wobbegong fishery to provide additional protection for Grey Nurse Sharks

9. Fishing Licence

The introduction of the Recreational Fishing Licence (first as a freshwater licence in 1998 and then as a general all waters licence in 2001) assisted the Government in a number of ways:

- The funds were used to buy out a number of non viable commercial fishers, the cost of which should have been borne by the government.
- These buyouts removed a number of environmentally unsustainable fishing practices and enabled the creation of Recreational Fishing Havens where conflict was removed between commercial and recreational fishers.
- It created an ongoing annual funding base, supposedly to cover activities that might not normally be covered by core funding.

The licence fee revenue is intended to cover a wide variety of activities including, as stated in Section 34AA of the *Fisheries Management Act 1994*:

- (a) *enhancing recreational fishing,*
- (b) *carrying out research into fish and their ecosystems,*
- (c) *managing recreational fishing,*
- (d) *ensuring compliance with recreational fishing regulatory controls.*

Unfortunately these clauses allow the government to use the funds for just about any purpose, and work funded by the trusts now includes activities that in the past would have been considered core activities of government, such as capital works and operating costs at government-owned fish hatcheries, environmental assessments required under *Environmental Planning and Assessment Act 1979*, and salaries to cover policing of fisheries regulations and basic conservation duties

ANSA NSW Recommendations:

Cost shifting from the Department to the Trust Funds must cease, including funding for compliance and enforcement, stock assessment and other basic research required to manage jointly fished stocks and fisheries conservation and threatened species.

- ✓ Value adding to licences is investigated as a priority by recreational management.
- ✓ Increased efficiencies in licence sales and distribution to deliver more revenue for enhancement projects.
- ✓ The contribution to improved fisheries and conservation of biodiversity achieved through fishing licence expenditure be better promoted.
- ✓ The contribution to rural and coastal economies from recreational fishing be marketed to state and local government, tourism bodies and stakeholder groups.
- ✓ An annual licence-free fishing day be implemented to promote participation.
- ✓ Introduction of a reciprocal licencing agreement with other states that have a fishing licence to cater for interstate visitations.
- ✓ Introduction of a cost free licence for aged pensioners and indigenous for the express purpose of developing and maintaining a data base of all recreational fishers over the age of 18 years.
- ✓ Introduction of a category of licence similar to that for charter boat operators whereby a private boat owner can hold a licence for a defined number of guests to fish legally without the need to hold individual licences. The number of endorsed fishers could be capped and the licence fee priced on the agreed number of fishers.